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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/496,600
Filing Date: February 02, 2000
Appellant(s): ZHANG ET AL.

John D. Henkhaus
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed January 31, 2005.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 1-44 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6,389,464	Krishnamurthy et al.	05-2002
5,913,037	Spofford et al.	06-1999
6,662,208	Moeller et al.	12-2003

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,389,464 issued to Krishnamurthy et al. (hereinafter referred to as Krishnamurthy) in view of USPN 6,913,037 issued to Spofford et al. (hereinafter referred to as Spofford) in further view of USPN 6,662,208 issued to Moeller et al. (hereinafter referred to as Moeller).

This rejection is set forth in a prior Office Action, mailed on May 28, 2004.

Regarding claim 1, Krishnamurthy teaches a method for obtaining a current value of a Management Information Base (MIB) variable stored in a managed network device in a network, the method comprising the steps of:

receiving a connection of a Web browser to a first managed network device (column 7, lines 54-65);

receiving at the first network device an HTTP request message from the browser to obtain the current value of the MIB variable (column 8, lines 62 – column 9, lines 1-54);

receiving the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15); and

communicating the current value of the MIB variable from the first managed network device to the browser using an HTTP reply message (column 10, lines 48-54; figures 25-27).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router.

Spofford teaches receiving and communicating a variable of a MIB variable from a first managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network

packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 2, Krishnamurthy teaches the method of claim 1, further comprising the steps of:

creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

communicating the electronic document to the Web browser (figures 25-27).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 3, Krishnamurthy teaches the method of claim 1, wherein the step of receiving the current value of the MIB variable from the MIB of the first managed network

device includes the steps of creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57); obtaining the MIB variable from the MIB object tree in the memory of the first managed network device (column 10, lines 63-67 – column 11, lines 1-8).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 4, Krishnamurthy teaches the method of claim 1, further comprising the steps of:

creating and storing a MIB object tree in a memory of the network device (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

receiving a user selection of one of the MIB variables based on the electronic document (102 figure 4; figures 25-27; column 7, lines 54-65);

wherein the step of receiving the current value of the MIB variable from the MIB of the first managed network device includes the step of obtaining the MIB variable that is identified in the user selection from the MIB object tree in the memory of the first managed network device (figures 25-26).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 5, Krishnamurthy teaches the method of claim 1, further comprising:

receiving the HTTP request message to obtain the current value of the MIB variable at an HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating an SNMP query that requests a current value of the MIB variable based on the HTTP request message (column 7, lines 54-65; column 8, lines 62-67 – column 9, lines 1-8); and

communicating the SNMP query to an SNMP daemon of the first managed network device (column 7, lines 66-67 – column 8 lines 1-15; column 8, lines 62 – column 9, lines 1-54).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 6, Krishnamurthy teaches the method of claim 1, further comprising the steps of:

communicating the current value of the MIB variable to the HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating and storing an HTML page that contains the current value of the MIB variable (col. 4, lines 43-53; col. 6, lines 36-44); and

sending the HTML page to an HTTP daemon of the first managed network device (col. 7, lines 54-65).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network

device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 7, Krishnamurthy teaches the method of claim 1, further comprising the step of creating and storing an executable software element in association with the Web browser, wherein the executable software element is configured for packaging an SNMP query into the request from the Web browser (column 2, lines 24-55, column 8, lines 24-47).

Regarding claim 8, although Krishnamurthy does not explicitly disclose the method of claim 1, wherein the step of receiving a request from the Web browser to obtain the current value of the MIB variable includes the step of unpackaging an SNMP query that is packaged in the request from the Web browser to identify the MIB variable, it is well known in the art that in order for obtain the current value of the MIB, the SNMP request must be packaged and unpackaged at the web browser.

Regarding claim 9, Krishnamurthy teaches the method of claim 8, further comprising the step of sending the SNMP query to an SNMP daemon of the first managed network device (column 7, lines 66-67 – column 8 lines 1-15; column 8, lines 62 – column 9, lines 1-54).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 10, although Krishnamurthy does not explicitly disclose the method of claim 8, wherein the step of returning the current value of the MIB variable to the Web browser includes the step of repackaging the current value of the MIB variable into an HTTP reply message, by the principle of inherency, in order for the web browser to receive the current value of the MIB, it must be repackaged in the reply message.

Regarding claim 11, Krishnamurthy teaches a network device, comprising:

a processor (column 19 line 63);

a Management Information Base (MIB) logically accessible by the processor and comprising one or more stored values of MIB variables (column 19, lines 63-67 – column 20, lines 1-8);

a Simple Network Management Protocol (SNMP) daemon executed by the processor (column 2, lines 24-55);

a Hypertext Transfer Protocol (HTTP) daemon executed by the processor (column 7, lines 54-65);

stored instructions for obtaining a current value of a Management Information Base (MIB) variable stored in a managed network device which, when executed by the processor, cause the processor to carry out the steps of:

receiving a connection of a Web browser to a first managed network device (column 7, lines 54-65);

receiving at the first managed network device an HTTP request message from the browser to obtain the current value of one of the MIB variable (column 8, lines 54-56);

receiving the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15; column 8, lines 62 – column 9, lines 1-54); and

communicating the current value of the MIB variable from the network device to the browser using an HTTP reply message (column 10, lines 48-54; figures 25-27).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router. Spofford teaches receiving and communicating a variable of a MIB variable from a managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a

network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 12, Krishnamurthy teaches the network device of claim 11, wherein the instructions further cause the processor to carry out the steps of:

creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

communicating the electronic document to the Web browser (figures 25-27).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network

packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 13, Krishnamurthy teaches the network device of claim 11, wherein the step of receiving the current value of the MIB variable from the MIB of the first managed network device includes the steps of creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57); obtaining the MIB variable from the MIB object tree in the memory of the first managed network device (column 10, lines 63-67 – column 11, lines 1-8).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 14, Krishnamurthy teaches the network device of claim 11, wherein the instructions further cause the processor to carry out the steps of:

creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

receiving a user selection of one of the MIB variables based on the electronic document (102 figure 4; figures 25-27; column 7, lines 54-65);

wherein the step of receiving the current value of the MIB variable from the MIB of the first managed network device includes the step of obtaining the MIB variable that is identified in the user selection from the MIB object tree in the memory of the first managed network device (figures 25-26).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 15, Krishnamurthy teaches the method of claim 11, further comprising an HTTP-SNMP interface which, when executed by the processor, causes the processor to carry out to steps of:

receiving the HTTP request message to obtain the current value of the MIB variable at an HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating an SNMP query that requests a current value of the MIB variable based on the HTTP request message (column 7, lines 54-65; column 8, lines 62-67 – column 9, lines 1-8); and

communicating the SNMP query to an SNMP daemon of the first managed network device (column 7, lines 66-67 – column 8 lines 1-15; column 8, lines 62 – column 9, lines 1-54).

Regarding claim 16, Krishnamurthy teaches the network device of claim 11, further comprising the steps of:

communicating the current value of the MIB variable to the HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating and storing an HTML page that contains the current value of the MIB variable (col. 4, lines 43-53; col. 6, lines 36-44); and

sending the HTML page to an HTTP daemon of the network device (col. 7, lines 54-65).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 16, Krishnamurthy teaches the network device of claim 11, further comprising the steps of:

communicating the current value of the MIB variable to the HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating and storing an HTML page that contains the current value of the MIB variable (col. 4, lines 43-53; col. 6, lines 36-44); and

sending the HTML page to the HTTP daemon (col. 7, lines 54-65).

Regarding claim 17, Krishnamurthy teaches a computer-readable medium carrying one or more sequences of one or more instructions for obtaining a current value of a Management Information Base (MIB) variable stored in a managed network device in a network, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:

receiving a connection of a Web browser to a first managed network device (column 7, lines 54-65);

receiving at the first network device an HTTP request message from the browser to obtain the current value of the MIB variable (column 8, lines 62 – column 9, lines 1-54);

receiving the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15); and

communicating the current value of the MIB variable from the network device to the browser using an HTTP reply message (column 10, lines 48-54; figures 25-27).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router. Spofford teaches receiving and communicating a variable of a MIB variable from a managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 18, Krishnamurthy teaches the computer-readable medium as recited in claim 17, wherein the instructions further cause the processor to carry out the steps of creating and storing a MIB object tree (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

communicating the electronic document to the Web browser (figures 25-27).

Regarding claim 19, Krishnamurthy teaches the computer-readable medium as recited in claim 17, wherein receiving the current value of the MIB variable from the MIB of the first managed network device includes the steps of creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57); obtaining the MIB variable from the MIB object tree in the memory of the first managed network device (column 10, lines 63-67 – column 11, lines 1-8).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 20, Krishnamurthy teaches the computer-readable medium as recited in claim 17, wherein the instructions further cause the processor to carry out the steps of:

creating and storing a MIB object tree in a memory of the first managed network device (column 19, lines 48-54; column 20, lines 49-57);

creating an electronic document that contains a representation of one or more MIB variables of the MIB object tree (figures 25-27);

receiving a user selection of one of the MIB variables based on the electronic document (102 figure 4; figures 25-27; column 7, lines 54-65);

wherein receiving the current value of the MIB variable from the MIB of the first managed network device includes the step of obtaining the MIB variable that is identified in the user selection from the MIB object tree in the memory of the first managed network device (figures 25-26).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router. At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 21, Krishnamurthy teaches the computer-readable medium as recited in claim 17, wherein the instructions further cause the processor to carry out the steps of:

receiving the HTTP request message to obtain the current value of the MIB variable at an HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating an SNMP query that requests a current value of the MIB variable based on the HTTP request message (column 7, lines 54-65; column 8, lines 62-67 – column 9, lines 1-8); and

communicating the SNMP query to an SNMP daemon of the first managed network device (column 7, lines 66-67 – column 8 lines 1-15; column 8, lines 62 – column 9, lines 1-54).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 22, Krishnamurthy teaches the computer-readable medium as recited in claim 17, wherein the instructions further cause the processor to carry out the steps of:

communicating the current value of the MIB variable to the HTTP-SNMP interface (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

creating and storing an HTML page that contains the current value of the MIB variable (col. 4, lines 43-53; col. 6, lines 36-44); and

sending the HTML page to an HTML daemon of the first managed network device (col. 7, lines 54-65).

However, Krishnamurthy fails to explicitly teach the first managed device being a network packet router. Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router. At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 23, Krishnamurthy teaches an HTTP browser program including a plug-in executable software element configured for obtaining a current value of a Management Information Base (MIB) variable stored in a managed network device in a network and which, when executed by a processor that executes the browser, causes the processor to carry out the steps of:

connecting browser to the network device (column 7, lines 54-65);

translating an SNMP query to a HTTP request message (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

communicating the HTTP request message from the browser to the network device to obtain the current value of the MIB variable (column 8, lines 62 – column 9, lines 1-54);

receiving, in an HTTP reply message, the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15); and

displaying the current value of the MIB variable using the browser (figures 25 and 26).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router. Spofford teaches receiving and communicating a variable of a MIB variable from a managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Regarding claim 24, Krishnamurthy teaches an applet executable in a browser program and configured for obtaining a current value of a Management Information Base (MIB) variable stored in a managed network device in a network and which, when executed by the browser, causes the browser to carry out the steps of:

connecting the browser to the network device (column 7, lines 54-65);

translating an SNMP query to a HTTP request message (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65);

communicating the HTTP request message from the browser to obtain current value of the MIB variable (column 8, lines 62 – column 9, lines 1-54);

receiving the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15); and

displaying the current value of the MIB variable using the browser (figures 25 and 26).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router. Spofford teaches receiving and communicating a variable of a MIB variable from a managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

At the time the invention was made, one of ordinary skill in the art would have been motivated to receive and communicate the value of a MIB by directly querying the network packet router in order to quickly access the MIB variable, thus enhancing the network's efficiency.

Claims 25-27 and 28-30 have similar limitations as claims 8-10, therefore are rejected under the same rationale.

Claims 31-40 have similar limitations as claims 1-10, therefore are also rejected under the same rationale.

Regarding claim 41, Krishnamurthy teaches the method of claim 1, wherein the step of receiving a connection comprises receiving a connection to an HTTP daemon in the managed device (col. 3, lines 16-33; col. 4, lines 7-11; col. 7, lines 54-65), and wherein the step of receiving an HTTP request message comprises receiving an HTTP request message at the HTTP daemon (col. 7, lines 54-65).

Claims 42-44 have similar limitations as claim 41 therefore are also rejected under the same rationale.

(11) Response to Argument

On page 8, Appellant argues that none of the references (Krishnamurthy, Spofford and Moeller) disclose, suggest or motivate, either independently or in combination, hosting and executing code in a router to enable direct querying of a router MIB from a conventional web browser, and additionally, none of the cited references disclose, suggest or motivate hosting and executing code in a router to directly query a router MIB using HTTP.

That Patent Office respectfully disagrees and submits that this is taught by the combination of Krishnamurthy, Spofford and Moeller. As cited above, Krishnamurthy teaches a system comprising a site server, to which devices can be connected (col. 5, lines 48-50). The site server further comprises a database for storing the devices' MIB files. The site server is capable of: receiving a connection from a Web browser (column 7, lines 54-65); receiving an HTTP request message from the browser to obtain the current value of the MIB variable (column 8, lines 62 – column 9, lines 1-54); receiving the current value of the MIB variable from the MIB of the network device (column 7, lines 66-67 – column 8 lines 1-15); and communicating the current value of the MIB variable from site server to the browser using an HTTP reply message (column 10, lines 48-54; figures 25-27).

However, Krishnamurthy fails to explicitly teach receiving and communicating the value of a MIB variable from the first managed network device to which the MIB variable pertains; and wherein the first managed device is a network packet router.

Spofford teaches receiving and communicating a variable of a MIB variable from a first managed device to which the MIB variable pertains (col. 2, lines 1-6; figure 1).

Moeller teaches obtaining a current value of a MIB variable stored in a switch (figure 2, col. 6, lines 22-30). Although Moeller does no explicitly disclose the network device being a network packet router, one of ordinary skill in the networking art at the time of the invention was made would have recognized that a switch has similar functions as a router.

Appellant argues that Krishnamurthy does not teach or suggest "directly" querying a router from a browser to obtain MIB information, and none of the cited references convey or suggest the integration of an HTTP daemon or server into a network packet router, for

interfacing with a network browser using HTTP to access MIB information about and stored within the router. The Patent Office respectfully submit that these features ("directly querying a router" and the "integration of an HTTP daemon into a packet router") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

ANB
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